

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

No. 5:13-CR-162-F

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
v.                              )  
                                  )  
                                  )  
QUINTIN DONTE HAYES, )  
                                  )  
Defendant                  )

ORDER

For good cause shown, the defendant's Motion to Determine Competency of Defendant [DE-63] is ALLOWED. Therefore, it is hereby ORDERED that the Defendant is committed to the custody of the Attorney General for a period not to exceed thirty (30) days, to undergo psychological and/or psychiatric examination. 18 U.S.C. §§ 4241, 4247. The court recommends that such examination be conducted at FMC-Butner, North Carolina.

The purpose of such examination shall be to determine whether there is reasonable cause to believe that the defendant presently is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to assist properly in his defense. At the conclusion of the examination, the examining licensed or certified psychiatrist or psychologist shall prepare a report pursuant to 18 U.S.C. § 4247(c), which report shall be submitted to the court with copies provided to counsel for the defendant and to the Assistant United States Attorney, designated below.

The report of examination shall include the information set forth in 18 U.S.C. § 4247(c)(1), (2), (3), and (4)(A). Defendant's counsel, Mr. Wayne Payne, shall be afforded continued access to the defendant during the evaluation period. It further is ORDERED that

arraignment and trial are CONTINUED from this court's March 10, 2014, term of court in order that the evaluation ordered herein may be completed. The Clerk of Court is DIRECTED to schedule and notice a hearing on the issue of the defendant's competency to proceed, as well as his arraignment and trial, during the court's **April 28, 2014**, term of court, by which time the report on the psychological/psychiatric evaluation should have been completed and provided to the court and to counsel. The delay occasioned by the examination ordered herein shall be excluded from computation of the Defendant's speedy trial time. 18 U.S.C. § 3161(h). The Clerk of Court is also DIRECTED to provide FMC-Butner staff with a copy of the motion at DE-63.

SO ORDERED.

This the 14 day of February, 2014.

  
\_\_\_\_\_  
JAMES C. FOX  
Senior United States District Judge

Defense Counsel: Mr. Wayne Payne  
Prosecutor: AUSA Toby Lathan